

Mechille Henry - 09/09/04

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

OLIVIA Y, By and  
Through Her Next Friend,  
James D. Johnson, et al.

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:04CV25LN

HALEY BARBOUR, As Governor  
Of the State of Mississippi;  
DONALD TAYLOR, as Executive  
Director of the Department of  
Human Services; and BILLY MANGOLD,  
As Director of the Division of  
Children's Services

DEFENDANTS

DEPOSITION OF MECHILLE HENRY

Taken at the instance of the Plaintiffs at the  
offices of Bradley Arant, LLP, One Jackson Place,  
188 E. Capitol Street, Suite 450, Jackson,  
Mississippi, on Thursday, September 9, 2004,  
beginning at approximately 1:00 p.m.

APPEARANCES:

ERIC E. THOMPSON, ESQ.  
SHIRIM NOTHENBERG, ESQ.  
Children's Rights, Inc.  
404 Park Avenue South  
New York, NY 10016

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COUNSEL FOR PLAINTIFFS

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1 MECHILLE HENRY,

2 having been first duly sworn, was examined and  
3 testified as follows:

4 EXAMINATION BY MR. THOMPSON:

5 Q. Good afternoon, Ms. Henry. My name is  
6 Eric Thompson. I am counsel with Children's Rights  
7 and I represent the plaintiffs in the matter of  
8 Olivia Y. et al. Do you understand that you're here  
9 to give sworn testimony in that matter?

10 A. Yes.

11 Q. Ms. Henry, could you spell your first  
12 name for the record, please?

13 A. M-E-C-H-I-L-L-E.

14 Q. Thank you. Ms. Henry, have you ever been  
15 deposed before?

16 A. No.

17 Q. Just a couple of ground rules. I'll be  
18 asking questions. If at any time my question is  
19 unclear to you, I'll be happy to rephrase it. Just  
20 let me know?

21 A. Okay.

22 Q. If at any time you need to take a break,  
23 let me know and we will do that. That's it. We'll  
24 just get started. Ms. Henry, what is your current  
25 position?

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1 A. Regional director.

2 Q. And that's with?

3 A. The Department of Human Services Division  
4 of Family and Children Services.

5 Q. And for what region are you the regional  
6 director?

7 A. 6th North.

8 Q. That covers a number of counties,  
9 correct?

10 A. Yes, ten.

11 Q. Ms. Henry, can you tell me what you did  
12 to prepare for today's deposition?

13 A. I spoke with my attorney.

14 Q. How long did you speak with your  
15 attorney?

16 A. Do you mean time wise?

17 Q. Yes?

18 MS. MALLETT: Objection. I don't think  
19 she has to reveal that.

20 Q. (By Mr. Thompson) I'm not inquiring into  
21 the nature of the conversation, just how long?

22 MS. MALLETT: I'm going to instruct her  
23 not to answer.

24 Q. (By Mr. Thompson) How many times did you  
25 have discussions with your attorney regarding

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1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
3                   JACKSON DIVISION

4                   OLIVIA Y., ET AL.

PLAINTIFFS

5                   V.

CIVIL ACTION NO. 3:04CV251LN

6                   HALEY BARBOUR, AS  
7                   GOVERNOR OF THE STATE OF  
8                   MISSISSIPPI, ET AL.

DEFENDANTS

9  
10                  VIDEO DEPOSITION OF NELSON V. "BILLY" MANGOLD

11  
12                  Taken at the instance of the Plaintiffs at Bradley,  
13                  Arant, Rose & White, 188 East Capitol Street, Suite  
14                  450, Jackson, Mississippi, on Wednesday, August 25,  
15                  2004, beginning at 9:07 a.m.

16                  APPEARANCES:

17                  MARCIA ROBINSON LOWRY, ESQ.  
18                  ERIC E. THOMPSON, ESQ.  
19                  Children's Rights  
20                  404 Park Avenue South  
21                  New York, New York 10016

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22                  COUNSEL FOR PLAINTIFFS

23                  BETTY A. MALLETT, ESQ.  
24                  McGlinchey Stafford, PLLC  
25                  200 South Lamar Street  
                  Jackson, Mississippi 39201

COUNSEL FOR DEFENDANT

Nelson V. "Billiy" Mangold - 08/25/04

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1 A. Since 1985, March of 1985.

2 Q. And what was your position immediately  
3 prior to assuming your current position?

4 A. I was the regional director for region  
5 seven which encompasses Hinds and Warren County for  
6 the State of Mississippi.

7 Q. Okay. And how long were you in that  
8 position?

9 A. Approximately five years.

10 Q. Okay. Now, in fulfilling your  
11 responsibilities, your current responsibilities as  
12 the director of the Division of Family and  
13 Children's Services, are you aware of whether or not  
14 there are State law policy and Federal law that  
15 govern the operation of the Division of Family and  
16 Children Services?

17 A. Yes I am.

18 MS. MALLETT: Objection to form. He can  
19 try to answer as best he can.

20 MS. LOWRY: I'm sorry. And I didn't ask  
21 at the beginning, and I'm sorry. Whether we're  
22 going to do the usual Federal stipulations.

23 MS. MALLETT: Yeah, we'll -- we'll reserve  
24 all objections except to the --

25 MS. LOWRY: As to form.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

OLIVIA Y., by and through her next friend,  
James D. Johnson; JAMISON J, by and through  
His next friend, Clara Lewis; DESIREE,  
RENEE, TYSON AND MONIQUE P., by and through  
Their next friend, Sylvia Forster; JOHN A.,  
By and through his next friend, James D. Johnson;  
CODY B, by and through his next friend, Sharon Scott;  
MARY, TOM, MATTHEW and DANA W, by and through their  
next friend, Zelatra W; and SAM H, by and  
through his next friend, Yvette Bullock;  
on their own behalf and on behalf of all others  
similarly situated

Plaintiffs,

CIVIL ACTION NO..  
3:04cv251LN

V.

HALEY BARBOUR, as Governor of the State  
Of Mississippi; DONALD TAYLOR, as Executive  
Director of the Department of Human Services;  
And BILLY MANGOLD, as Director of the  
Division of Family and Children's Services  
Defendants.

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DEPOSITION OF MARTHA McDANIEL  
Taken at Bradley Arant Rose & White,  
One Jackson Place, Suite 450  
Jackson, Mississippi,  
on Wednesday, July 20, 2005,  
beginning at approximately 8:30 a.m.

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1    huh-uh and shaking and nodding of the head. So if we  
2    can both make an effort to do that, that would be  
3    helpful. Is that fair?

4            A    That's fair.

5            Q    And it is also difficult for her to take  
6    down testimony when either of us speaks over the  
7    other. So I will try to give you an opportunity to  
8    finish your answers before asking the next question.  
9    And if you could, please wait until I finish the  
10   question before answering. Is that fair?

11           A    Yes, it is.

12           Q    Very good. Ms. McDaniel, what is your  
13   current job title?

14           A    I'm Social Services regional director with  
15   the Mississippi Department of Human Services, Division  
16   of Family and Children's Services.

17           Q    And how long have you held that job title?

18           A    I believe I started in '92.

19           Q    And how long have you worked for DHS?

20           A    A little over 30 years.

21           Q    And what positions did you hold before you  
22   held the position of regional director for Region 2?

23           A    I was an eligibility worker in Neshoba  
24   County, I was a social worker in Neshoba County; and  
25   ASWS, area social work supervisor, for Region 2;

IN THE UNITED STATES DISTRICT COURT  
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JACKSON DIVISION

OLIVIA Y., ET AL PLAINIFFS  
VS. CIVIL ACTION NO. 3:04CV251LN  
HALEY BARBOUR, ET AL DEFENDANTS

## DEPOSITION OF ZADIE ROGERS

Taken at Bradley Arant Rose & White,  
188 East Capitol Street, Suite 450,  
Jackson, Mississippi, on Tuesday,  
August 9, 2005, beginning at 8:30 a.m.

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REPORTED BY:

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1 allow you to finish your answer before beginning  
2 my next one, but if there's anything that you  
3 need to add, you agree to do so; is that fair?

4 A. That's fair.

5 Q. Ms. Rogers, what is your current job  
6 title?

7 A. I am the Regional Director for area 6  
8 South.

9 Q. And for how long have you been the  
10 Regional Director for area 6 South?

11 A. Approximately five years.

12 Q. And for how long have you worked for  
13 the Division of Family and Children's Services?

14 A. Since 1982.

15 Q. What other jobs have you held for the  
16 division?

17 A. I have been an eligibility worker,  
18 Program Specialist, Supervisor, and then  
19 Regional Director.

20 Q. And when you were an eligibility  
21 worker, did the job duties at that position  
22 involve child welfare?

23 A. Yes, it did.

24 Q. And how long were you an eligibility  
25 worker?